

Message Text

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ACTION AF-04

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TO SECSTATE WASHDC IMMEDIATE 950
INFO AMEMBASSY LONDON

C O N F I D E N T I A L SECTION 1 OF 2 NAIROBI 11187

LIMDIS

C O R R E C T E D C O P Y F O R T E X T

FROM MOOSE

E. O. 11652: GDS
TAGS: PDEV, US, UK, RH, TZ
SUBJ: STATEMENT ON LAW AND ORDER

1. THERE FOLLOWS LATEST UK DRAFT STATEMENT ON LAW AND ORDER. IT WAS JUST GIVEN ME BY GRAHAM. I HAVE NOT HAD TIME TO EXAMINE IT. DIFFERENCES ARE SAID TO BE SMALL.

2. BEGIN TEXT: STATEMENT ON LAW AND ORDER

(1) THE BRITISH GOVERNMENT, WITH THE FULL AGREEMENT OF THE UNITED STATES HAVE PUBLISHED TODAY THE WHITE PAPER: RHODESIA, PROPOSALS FOR A SETTLEMENT. THE WHITE PAPER IS PRESENTED IN THE BELIEF THAT IT COULD PROVIDE THE BASIS FOR NEGOTIATIONS FOR A CEASEFIRE AND FOR AN INTERNATIONALLY ACCEPTABLE SETTLEMENT WHICH IS IN THE BEST INTEREST OF ALL RHODESIANS.

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(2) AS A RESULT OF CONSULTATIONS ON THE WHITE PAPER IN LONDON AND IN WASHINGTON, AND NOW HERE IN AFRICA, BY MYSELF AND AMBASSADOR YOUNG IT IS CLEAR THAT THE CRUCIAL ISSUE NOW IS LAW AND ORDER DURING THE TRANSITION PERIOD AND DURING INDEPENDENCE.

(3) IT IS A FUNDAMENTAL PRINCIPLE AND GENERALLY AGREED

UPON BY THE PARTIES THAT ON INDEPENDENCE DAY THE INDEPENDENT GOVERNMENT OF ZIMBABWE SHOULD HAVE UNDER ITS COMMAND ONE UNIFIED ARMY LOYAL TO THE PEOPLE OF ZIMBABWE AND THEIR DULY ELECTED GOVERNMENT. ON THIS PRINCIPLE THERE CAN BE NO COMPROMISE.

OBJECTIVES

(4) OUR OBJECTIVES MUST THEREFORE BE:

- (A) TO ORGANIZE THE MAINTENANCE OF LAW AND ORDER DURING THE TRANSITION PERIOD, AND
- (B) TO CREATE THE SINGLE ARMY OF ZIMBABWE

BASIC PROPOSALS

(T) IN THE WHITE PAPER IT IS STATED IN PARAGRAPH 11, SUBPARAGRAPH (D), THAT PRIMARY RESPONSIBILITY FOR THE MAINTENANCE OF LAW AND ORDER DURING THE TRANSITION PERIOD WILL LIE WITH THE POLICE FORCE. THIS WILL BE UNDER THE COMMAND OF A NEW COMMISSIONER OF POLICE APPOINTED BY, AND RESPONSIBLE TO, THE RESIDENT COMMISSIONER. IT IS ALSO ENVISAGED THAT THE SPECIAL REPRESENTATIVE OF THE SECRETARY GENERAL OF THE UNITED NATIONS MAY APPOINT LIAISON OFFICERS TO THE POLICE FORCES.

(6) IT IS ALSO STATED IN THE WHITE PAPER, IN PARAGRAPH 11, CONFIDENTIAL

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SUBPARAGRAPH (C), THAT THE ROLE OF THE UN ZIMBABWE FORCE MAY INCLUDE:

- I. THE SUPERVISION OF THE CEASEFIRE;
- II. SUPPORT FOR THE CIVIL POWER;
- III. LIAISON WITH THE EXISTING RHODESIAN ARMED FORCES AND WITH THE FORCES OF THE LIBERATION ARMIES.

IMPLEMENTATION:

(7) IN THE WHITE PAPER, PARAGRAPH 11 SUBSECTION (C), IT IS STATED THAT THE SECRETARY GENERAL OF THE UNITED NATIONS WILL BE INVITED TO APPOINT A REPRESENTATIVE TO ENTER INTO DISCUSSIONS, BEFORE THE TRANSITION PERIOD, WITH THE BRITISH RESIDENT COMMISSIONER DESIGNATE, AND WITH ALL THE PARTIES WITH A VIEW TO ESTABLISHING IN DETAIL THE RESPECTIVE ROLES OF ALL THE FORCES IN RHODESIA. IN THE NEGOTIATIONS IT MUST BE ACCEPTED BY THE PARTIES AND BY THE MILITARY COMMANDERS SUBORDINATE TO THEM THAT THE OBJECTIVE IS A GENERAL CEASEFIRE WHICH WILL TAKE EFFECT AT THE BEGINNING OF TRANSFER DAY, I.E., WHEN THE RESIDENT COMMISSIONER ASSUMES OFFICE. ALL THE MILITARY UNITS WHETHER

OF THE RHODESIAN DEFENCE FORCES OR OF THE LIBERATION FORCES WHICH ARE OPERATING INSIDE RHODESIA, OR WHICH IT IS AGREED MAY ENTER RHODESIA AFTER THE CEASEFIRE, WILL COME UNDER THE COMMAND OF THE RESIDENT COMMISSIONER.

(8) AS SOON AS HE TAKES OFFICE, THE RESIDENT COMMISSIONER WILL APPOINT NEW OFFICERS TO ANY KEY POSTS IN THE RHODESIAN ARMY AND THE RHODESIAN AIR FORCE WHICH ARE THOUGHT TO BE APPROPRIATE AS WELL AS THE NEW COMMISSIONER OF POLICE. HE WILL GIVE INSTRUCTIONS FOR THE DISBANDMENT OF CERTAIN UNITS SUCH AS THE SELOUS SCOUTS. IN ADDITION URGENT STEPS WILL BE TAKEN TO ARRANGE FOR THE DISCHARGE OF THOSE NON-RHODESIANS WHO HAVE ENTERED RHODESIA IN ORDER TO JOIN THE RHODESIAN DEFENCE FORCES.
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(9) IT IS ENVISAGED THAT THE UN ZIMBABWE FORCE WILL ATTACH ELEMENTS TO THE UNITS BOTH OF THE RHODESIAN DEFENCE FORCES AND OF THE LIBERATION FORCES OPERATING INSIDE RHODESIA TO SUPERVISE THE CEASEFIRE.

THE ROLE OF THE VARIOUS FORCES:

(10) AS STATED ABOVE, THE PRIMARY DUTY TO DEAL WITH ANY CIVIL DISTURBANCE WILL REST WITH THE POLICE. SHOULD ANY SITUATION GET OUT OF HAND OR APPEAR TO BE BEYOND THEIR POWER TO CONTROL, THE RESIDENT COMMISSIONER IN CONSULTATION WITH THE COMMISSIONER OF POLICE, THE UN SPECIAL REPRESENTATIVE, AND OTHERS AS APPROPRIATE, WILL, THROUGH THE UN SPECIAL REPRESENTATIVE, CALL IN THE FIRST INSTANCE UPON THE UN ZIMBABWE FORCE TO SUPPORT THE POLICE FORCE IN THE MAINTENANCE OF LAW AND ORDER.

(11) SHOULD THERE BE UNITS EITHER OF THE RHODESIAN DEFENCE FORCES OR OF THE LIBERATION FORCES, WHICH FAIL TO OBSERVE THE CEASEFIRE OR WHICH REJECT THE LAWFUL COMMANDS OF THE RESIDENT COMMISSIONER, HE WILL CONSULT WITH THE UN SPECIAL REPRESENTATIVE. HE WILL LOOK TO THE UN ZIMBABWE FORCE IN THE FIRST INSTANCE AND WILL THEREAFTER CALL UPON SUCH FORCES AS HE CONSIDERS NECESSARY.

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C O N F I D E N T I A L SECTION 2 OF 2 NAIROBI 11187

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C O R R E C T E D C O P Y F O R T E X T

FROM MOOSE

(12) IN BOTH THE CIRCUMSTANCES DESCRIBED IN THE TWO PRECEDING PARAGRAPHS, THE RESIDENT COMMISSIONER WILL RETAIN THE RIGHT TO CALL ON ANY OF THE FORCES UNDER HIS COMMAND IN THE EXERCISE OF HIS ULTIMATE RESPONSIBILITY FOR THE MAINTENANCE OF SECURITY AND LAW AND ORDER.

ZIMBABWE NATIONAL ARMY:

(13) WITH A VIEW TO CREATING ONE UNIFIED ARMY LOYAL TO THE PEOPLE AND GOVERNMENT OF ZIMBABWE, IT IS STATED IN THE WHITE PAPER, AT PARAGRAPH 11 SUBPARAGRAPH (E), THAT LEGAL PROVISION WILL BE MADE FOR THE FORMATION OF A NEW BODY TO BE CALLED THE ZIMBABWE NATIONAL ARMY. THE COMPOSITION AND STRUCTURE OF THE ZIMBABWE NATIONAL ARMY MUST REFLECT THE AUTHORITY OF THE ZIMBABWE GOVERNMENT, STEMMING FROM AN ELECTION HELD ON THE BASIS OF UNIVERSAL SUFFRAGE, WITH AN ELECTORATE OF SOME 3.0 MILLION VOTERS, IN CONTRAST TO THE EXISTING SITUATION. ENROLLMENT IN THIS BODY WILL BE OPEN
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TO ALL CITIZENS BUT IT WILL BE BASED ON THE LIBERATION FORCES: IT WILL ALSO INCLUDE ACCEPTABLE ELEMENTS OF THE RHODESIAN DEFENCE FORCES.

(14) THE STRUCTURE, COMPOSITION, RECRUITMENT AND TRAINING OF THE ZIMBABWE NATIONAL ARMY WILL BE SUBJECT TO THE NEGOTIATIONS ENVISAGED IN PARAGRAPH 11 SUBPARAGRAPH (C) (BRACKET) THE AGREED RESULTS OF THE

NEGOTIATIONS ON THE CEASEFIRE, TRANSITION PERIOD AND ZIMBABWE NATIONAL ARMY WILL BE BROUGHT BEFORE THE SECURITY COUNCIL OF THE UNITED NATIONS BY THE BRITISH GOVERNMENT TO SECURE THE NECESSARY MANDATE FOR THE ESTABLISHMENT OF THE UN ZIMBABWE FORCE.

(15) ENDORSEMENT BY THE SECURITY COUNCIL WILL GIVE THE AGREEMENTS REACHED THE AUTHORITY OF THE INTERNATIONAL COMMUNITY. THE SECURITY COUNCIL WILL BE INVITED TO INCLUDE IN THE MANDATE OF THE UN ZIMBABWE FORCE PROVISION FOR THE FORCE TO REMAIN FOR AN AGREED PERIOD FOLLOWING INDEPENDENCE WITH THE CONSENT OF THE NEW PRESIDENT OF ZIMBABWE. FOLLOWING THE ELECTIONS AND PRIOR TO INDEPENDENCE, THE PRESIDENT-ELECT WILL MAKE THE DECISIONS ON THE FINAL STRUCTURE AND COMPOSITION OF THE ZIMBABWE NATIONAL ARMY. THE BRITISH GOVERNMENT WILL NOT ENACT, AND THE BRITISH PARLIAMENT WILL NOT APPROVE THE TRANSITIONAL CONSTITUTION WHICH IS NECESSARY FOR THE FORMAL APPOINTMENT OF THE RESIDENT COMMISSIONER, NOR WILL THERE BE A RETURN TO LEGALITY IN RHODESIA THROUGH THE TRANSITIONAL CONSTITUTION, UNLESS THEY ARE BOTH SATISFIED NOT ONLY THAT THERE WILL BE AN EFFECTIVE CEASEFIRE BUT THAT THE OUTCOME OF THE NEGOTIATIONS ON THE MATTERS DESCRIBED ABOVE IS ACCEPTABLE TO THE PEOPLE OF RHODESIA AS A WHOLE AND WILL PROVIDE A CLIMATE IN WHICH FREE AND FAIR ELECTIONS CAN BE HELD AND A STABLE INDEPENDENT GOVERNMENT OF ZIMBABWE

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CAN BE FORMED WITHIN SIX MONTHS FROM THE RETURN TO LEGALITY.

(16) THE BRITISH AND U.S. GOVERNMENTS, WHILE NOT UNDER-ESTIMATING THE INTENSE DIFFICULTIES THAT STILL NEED TO BE FACED, BELIEVE THAT IT IS POSSIBLE TO ACHIEVE AN INTERNATIONALLY ACCEPTABLE NEGOTIATED SETTLEMENT ON THE BASIS OF THIS WHITE PAPER AND INTEND TO GO FORWARD ON THIS BASIS.

END TEXT.

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